



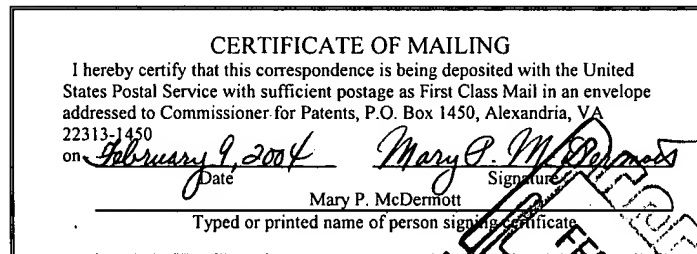
NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Applicant: Gary C. Gitto

Serial No.: 09/911,259 Filed Date: July 23, 2001

Confirmation No.: 4377 Group: 1745 Examiner: Mark Ruthkosky

For: Flame-Retardant Battery Casing



Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

02/12/2004 DTESSEM1 00000094 09911259

02 FC:2401 Sir: 165.00 OP

Applicant hereby appeals to the Board of Appeals from the decision dated **August 8, 2003** of the Primary Examiner finally rejecting claims 1-41. The item(s) checked below are appropriate:

1. ☒ Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated August 8, 2003 for three months from November 8, 2003 to February 8, 2004. *(separate petition for extension of time not required)*
2. ☐ A ☐ month extension of time to respond to the Office Action Made Final dated ☐ was filed on ☐ with payment of a \$☐ fee.  
  
☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Office Action Made Final.
3. ☐ An Oral Hearing before the Board of Appeals is respectfully requested.

02/12/2004 DTESSEM1 00000094 09911259

01 FC:2253 475.00 OP

4. Fees are submitted for the following:

☒ Extension of Time for three months. \$ 475.00

☐ Additional Extension of Time:

Fee for Extension ([ ] mo.) \$ \_\_\_\_\_

Less fees paid ([ ] mo.) - \$ \_\_\_\_\_

Balance of fee due \$ \_\_\_\_\_

☒ Notice of Appeal \$ 165.00

☐ Terminal Disclaimer \$ \_\_\_\_\_

☐ Other: \_\_\_\_\_ \$ \_\_\_\_\_

TOTAL \$ 640.00

5. The method of payment for the total fees is as follows:

☒ A check in the amount of \$640.00 is enclosed.

☐ Please charge Deposit Account No. 50-1935 in the amount of \$[ ]].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 50-1935. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By Thomas O. Hoover  
Thomas O. Hoover

Date: February 9, 2004

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